

**REMARKS**

In the Office Action, claims 1-23 were pending. Claims 1-23 were rejected. In this response, no claims have been added, cancelled, or amended. Thus, claims 1-23 are pending. Reconsideration of this application, in light of the following remarks, is respectfully requested.

Examiner rejected claims 1-7, 11, 17, 19-22, and 23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,081,840 by Zhao (hereinafter “Zhao”). The Applicants respectfully disagree with the rejection because Zhao does not disclose each and every element of the invention as claimed in claims.

Zhao describes a two-level system, defining a client-server architecture for distributing content over a network, such as the internet (Zhao, Abstract; **Figure 1**). A central server maintains content and provides data, which is a subset of the central-server content, to local content servers via a replicator (Zhao, Column 7, lines 5-18; Abstract). “The local content servers are implemented behind HTTP or IIOP servers that provide interfaces to the WWW and enable client workstations to retrieve data by means of web browsers” (Zhao, column 7, lines 35-38). Thus, the local servers, as described by Zhao are not client devices, but rather intermediate servers that provide cached content requested by clients of the intermediate server; e.g., the local servers 14 and 16 are servers of users 22-28. Further, local servers do not share data between one another, nor do they direct client requests to be satisfied by other clients of the server. As such, Zhao merely describes providing a client-server system which moves cached internet data closer to client devices (Zhao, **Figure 2**).

With respect to claim 1, the Applicants claim:

1. A method comprising:

a client receiving an indication from a controller that at least one new content object corresponding to content specified in a profile associated with the first client is to be downloaded;  
the first client receiving an indication of a location of the at least one content object from the controller;  
the first client downloading the content object from the location; and  
intercepting a request from a second client to a web server on a wide area network (WAN) for the content object and satisfying the request of the second client with the downloaded content object from the first client without sending the request to the web server over the WAN, wherein the first and second clients are peer devices of a local network.

The Applicants respectfully submit that Zhao fails to describe each and every feature, as claimed by the applicants. As claimed, a first client can satisfy the request of a second client for content the first client previously downloaded, e.g., peer-to-peer data transfer.

Zhao describes a client-server architecture (*See* Zhao, Column 4, lines 1-18; **Figure 1**). As is understood in the art, a client-server architecture “separates the client ... from the server” (*See* for example, <http://en.wikipedia.org/wiki/Client-server>). “[A] Client/Server architecture is intended to provide a scalable architecture, whereby each computer or process on the network is either a client or a server” (*Id.*, emphasis added). A client, however, is a “functional unit in the same layer as another entity” so that clients reside on the same layer (*See* [software.allindiansite.com/java/pjava.html](http://software.allindiansite.com/java/pjava.html)). Furthermore, “peers” are “devices on a layered communications network that operate on the same protocol level (*See* [www.adrc.net/data-dictionary/p1.htm](http://www.adrc.net/data-dictionary/p1.htm)). Therefore, client/peer devices are defined as devices that communicate on the same layer of a network and operate on the same level.

The client-server architecture as described by Zhao and noted above, however, explicitly separates clients and servers so that the two entities are not on the same layer of the architecture. Furthermore, because the two entities, users and local servers, are not located on the same layer of the architecture, users and local servers cannot be peer devices. The Applicants, on the other

hand, claim peer devices operating on the same level of an architecture where one peer/client satisfies a second peer/client's request for data. Because Zhao only describes utilizing a "local content server" for satisfying requests of users/clients (Zhao, Column 4, lines 1-18; **Figure 1**), client/users and the servers of Zhao cannot be peer devices on a network, as claimed by the Applicants.

Therefore, because the first and second client are peer devices of a local network, the second client's request for content from a server is satisfied by a peer client, and not a content server or local-server. Furthermore, as discussed above, as is understood in the art, a server cannot be a peer of a client/user of the server. Thus, as previously submitted, since Zhao only describes a client-server architecture that satisfies content requests, and not a peer-to-peer architecture in which clients satisfy content requests, Zhao fails to describe each and every element as claimed in claim 1. The Applicants respectfully submit that claim 1 is not anticipated by Zhao, and request withdrawal of the rejection.

Since claims 17, 19, and 23 contain similar elements and features to those contained in claim 1, Applicants respectfully submit that claims 17, 19, and 23 are also not anticipated by Zhao for similar reasons. Further, claims 2-7, 11, and 20-22 depend, either directly or indirectly, from independent claims 1 and 19, claims 2-7, 11, and 20-22 are also not anticipated by Zhao. Therefore, the Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 102.

Examiner rejected claims 8-10, 12, 14, 16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Zhao in view of U.S. Patent No. 6,490,587 by Easty et al. (hereinafter "Easty"). The Applicants respectfully disagree with the rejection because the references, alone or in combination, fail to describe or suggest each and every element of the invention as claimed


by the Applicants in claims 8-10, 12, 14, 16, and 18. As discussed above, Zhao fails to describe or suggest each and every element of the invention of independent claims 1 and 17, from which claims 8-10, 12, 14, 16, and 18 depend. Further, Easty merely describes a central content server refreshing content in end-point servers so that users can download refreshed content from those servers (Easty, column 3, line 54 to column 4, line 36). Thus, Easty also fails to describe peer-to-peer data caching so that peer content requests can be satisfied from peer devices, and not content servers, as claimed in claims 1 and 17. Therefore, claims 8-10, 12, 14, 16, and 18, which depend from independent claims 1 and 17, are also not described or suggested by the combination of Zhao and Easty.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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